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9 Attorneys for Creditor
 Debt Acquisition Company of America V

10 UNITED STATES BANKRUPTCY COURT

11 District of Nevada

| | |
|--|------------------------------|
| 12 In re |) Case No. BK-S-06-10725 LBR |
| 13 USA COMMERCIAL MORTGAGE COMPANY |) NOTICE TO BIDDERS RE |
| 14) RESERVATION OF RIGHTS BY DEBT | |
| 15) ACQUISITION COMPANY | |
| 16) OF AMERICA V | |
| 17) (AFFECTS ALL DEBTORS) | |
| 18) DATE: December 19, 2006 | |
| 19) TIME: 10:00 a.m. | |
| 20) | |
| 21) | |
| 22) | |
| 23) | |
| 24) | |
| 25) | |
| Affects: |) |
| 26) <input type="checkbox"/> All Debtors |) |
| 27) <input checked="" type="checkbox"/> USA Commercial Mortgage Company |) |
| 28) <input type="checkbox"/> USA Capital Realty Advisors, LLC |) |
| 28) <input checked="" type="checkbox"/> USA Capital Diversified Trust Fund, LLC |) |
| 28) <input checked="" type="checkbox"/> USA Capital First Trust Deed Fund, LLC |) |
| 28) <input type="checkbox"/> USA Securities, LLC |) |

1 TO ALL QUALIFIED BIDDERS AS TO THE AUCTION OF CERTAIN ASSETS
2 AUTHORIZED BY THE COURT'S ORDER ENTERED NOVEMBER 8, 2006 (DOCKET NO. 1761):

3 PLEASE TAKE NOTICE that Debt Acquisition Company of America V ("DACA") has
4 purchased the beneficial interest of certain Direct Lenders in loans serviced by USA Commercial
5 Mortgage Company and is the successor in interest to the Direct Lenders under the Loan Servicing
6 Agreements relating to such loans, a list of which is attached as Exhibit A. DACA may purchase
7 additional interests from Direct Lenders prior to confirmation of a chapter 11 plan in the above-
8 captioned cases. DACA has also purchased the bankruptcy claims of certain Direct Lenders, which
9 claims are listed in Exhibit B.

10 YOU ARE FURTHER NOTIFIED that DACA reserves all rights and claims as to the assets to
11 be transferred at the auction that relate to the interests purchased by DACA. In particular and without
12 implied limitation DACA:

13 1. Does not waive any rights arising from the fact that the Loan Servicing Agreements are
14 executory contracts which must be assumed by the Reorganized Debtor on that date of confirmation of
15 the Plan or they will be deemed rejected.

16 2. Does not agree that either the Debtor in Possession or any assignee of the Loan Servicing
17 Agreements has the right to offset or recoup any amount "due from" any Direct Lender against payments
18 collected by the loan servicer in trust for the Direct Lender.

19 3. Does not agree that the Loan Servicing Agreements are assets which may be sold free
20 and clear of the rights of the counterparties, including without implied limitation the rights and defenses
21 referred to above.

22 4. Intends to oppose confirmation of the chapter 11 plan and confirmation of the sale after
23 bidding on the above grounds among others.

24
25 DATE: December 6, 2006

KIRBY & MCGUINN, A P.C.

26
27 By: /s/ Dean T Kirby, Jr.
28 Dean T Kirby, Jr. Attorneys for
Debt Acquisition Company of America V

Exhibit A: Direct Lender Interests

| Debtor | NAME | Note Amount |
|---|---|--------------------|
| <i>USA Commercial-Bay Pompano Notes</i> | | |
| | Barbara J. Vivero Trustee of the Barbara J. V | \$23,752.84 |
| | Christopher Dickinson & Patricia Dickinson, h | \$47,505.68 |
| | First Savings Bank Custodian Tana Stigile IR | \$23,752.84 |
| | Janice A. Magrisi & Phillip W. Dickinson, an | \$23,752.84 |
| | John D. Eichhorn & Jill A. Eichhorn | \$47,505.68 |
| | Joyce A. Hayward Trustee of the 1985 Hayw | \$47,888.79 |
| | Larry D. Sargent & Marjean Sargent | \$23,752.84 |
| | Lori Dietzman and William Dietzman | \$24,212.00 |
| | Peter A. Bolino & Fabiola A. Bolino Trustees | \$34,567.00 |
| | Sapourn Legacy, LLC,a FL limited liability co | \$71,258.52 |
| | Taylor Samuels Trustee of the Samuels 1999 | \$47,505.68 |
| <i>Summary for 'Debtor Number' = 4553 (11 detail records)</i> | | |
| Sum | | 415,454.71 |
| <i>USA Commercial - Marlton Square</i> | | |
| | Frank J. Belmonte Trustee of the Belmonte F | \$53,367.16 |
| <i>Summary for 'Debtor Number' = 4568 (1 detail record)</i> | | |
| Sum | | 53,367.16 |
| <i>USA Commercial - Fiesta Oak</i> | | |
| | Alan B. Friedman, a single man | \$100,000.00 |
| | Albert J. Mineconzo Trustee of the Albert J. | \$50,000.00 |
| | Anna S. Knobel Trustee of the 1996 Knobel T | \$150,000.00 |
| | Charles Sass | \$50,000.00 |
| | Daniel C. Barcia, a married man dealing with | \$50,000.00 |
| | David Joyce, a married man dealing with his | \$75,000.00 |
| | David M. Jacobson & Cristina Jacobson Trus | \$100,000.00 |
| | Donald H. Forbes & Raquel R. Forbes Truste | \$50,000.00 |
| | Dorothy Ellis, a single woman | \$40,000.00 |
| | Edward Roldan and Stephanie K. Roldan, hu | \$100,000.00 |
| | First Savings Bank Custodian For Herbert R. | \$50,000.00 |
| | Gazella Teague Trustee of the Gazella Teag | \$50,000.00 |
| | Gregory D. Yonai Trustee of the Gregory D. | \$50,000.00 |
| | James D. Gillmore & Lynn M. Gillmore Truste | \$50,000.00 |
| | James N. Nicksick & Z. Kay Nicksick Trustee | \$50,000.00 |
| | Jill Chioino & John Choe, husband & wife, as | \$75,000.00 |
| | John Borkoski & Kathleen Borkoski, husband | \$50,000.00 |

| <i>Debtor</i> | <i>NAME</i> | <i>Note Amount</i> |
|---|---|---------------------------|
| | Karryn Rae Sherman Trustee of the Jeanne | \$50,000.00 |
| | Kenneth D. Coxey & Valerie Coxey Trustees | \$100,000.00 |
| | Leonard Baker & Barbara Baker Co-Trustees | \$50,000.00 |
| | Leslie F. Kerns & Alma D. Kerns, husband & | \$50,000.00 |
| | Mario M. Lommori & Clarice E. Lommori Trus | \$50,000.00 |
| | Mary Monica Cady | \$50,000.00 |
| | Richard A. Helmberger & Genene M. Helmbe | \$100,000.00 |
| | Robert L. Hansen & Patricia S. Hansen, husb | \$50,000.00 |
| | Robert Lundberg, a married man dealing with | \$65,000.00 |
| | ROBERT S. LOUIS AND ROSE M. LOUIS, T | \$50,000.00 |
| | Robert T Chylak & Barbara M Chylak Trustee | \$60,000.00 |
| | Rocklin/Redding LLC | \$375,697.13 |
| | Rocklin/Redding LLC 2 | \$624,302.87 |
| | Stefan R. Cavin, an unmarried man | \$50,000.00 |
| | Teri L. Melvin, a single woman | \$100,000.00 |
| | Tina K.L. Low Wood Trustee of the Wood Fa | \$50,000.00 |
| <i>Summary for 'Debtor Number' = 4611 (33 detail records)</i> | | |
| Sum | | 3,015,000.00 |
| <i>USA Commercial - Fiesta StoneRidge</i> | | |
| | GREGORY D. YONAI TRUSTEE OF THE G | \$25,000.00 |
| | MATTHEW MOLITCH TRUSTEE OF THE M | \$100,000.00 |
| | PORTER A. HURT, A SINGLE MAN | \$100,000.00 |
| | THOMAS AVENA & CINDY AVENA, HUSBA | \$100,000.00 |
| | ZOE BROWN TRUSTEE OF THE ZOE BRO | \$25,000.00 |
| <i>Summary for 'Debtor Number' = 4640 (5 detail records)</i> | | |
| Sum | | 350,000.00 |
| Grand Total | | 3,833,821.87 |

Exhibit B: Claims Transferred

| <i>Debtor</i> | <i>NAME</i> | <i>Claim Amount</i> |
|---|--------------------|----------------------------|
| <i>USA Commercial Mortgage-BK Claims</i> | | |
| Barbara J. Vivero Trustee of the Barbara J. V | | \$12,951.80 |
| Christopher Dickinson & Patricia Dickinson, h | | \$25,903.59 |
| DALTON F MAFFETT | | \$20,067.97 |
| First Savings Bank Custodian Tana Stigle IRA | | \$12,951.80 |
| Gary E. Topp, a married man dealing with his | | \$41,666.67 |
| JANET SZABO | | \$25,107.97 |
| Janice A. Magrisl & Phillip W. Dickinson, an | | \$12,951.80 |
| John D. Eichhorn & Jill A. Eichhorn | | \$25,903.59 |
| JOSEPH SZABO | | \$3,256.50 |
| Joyce A. Hayward Trustee of the 1985 Hayward | | \$25,903.59 |
| Larry D. Sargent & Marjean Sargent | | \$12,951.80 |
| Lori Dietzman and William Dietzman | | \$12,951.80 |
| M & R M, LLC, a Nevada limited liability comp | | \$108,961.19 |
| OLIVER C PUHR | | \$31,762.23 |
| Peter A. Bolino & Fabiola A. Bolino Trustees | | \$19,427.69 |
| POMPEO LOMBARDI | | \$43,017.52 |
| Sapourn Legacy, LLC,a FL limited liability co | | \$38,855.38 |
| Taylor Samuels Trustee of the Samuels Trust | | \$145.99 |
| Taylor Samuels Trustee of the Samuels Trust | | \$25,903.59 |
| Taylor Samuels Trustee of the Samuels Trust | | \$21,792.24 |
| THOMAS STEWART | | \$37,037.93 |
| <i>Summary for 'Debtor Number' = 4443 (21 detail records)</i> | | |
| Sum | | 559,472.64 |
| Grand Total | | 559,472.64 |